United States Patent and Trademark Office

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In re Application of   :
Braeuchle et al.   :
Application No.: 10/553,166   :
PCT No.: PCT/DE2004/000404   :
Int. Filing Date: 03 March 2004   :   DECISION
Priority Date: 30 April 2003   :
Attorney Docket No.: 10191/4036   :
For: Device For Speed Control And   :
       Distance Control In Motor Vehicles   :

This is with regard to the renewed petition under 37 CFR 1.181 filed on 07 October 2008.

DISCUSSION

In a Decision mailed on 12 September 2008, the petition under 37 CFR 1.181 filed on 23 July 2008 was dismissed, without prejudice, because

> Concerning requirement (3), petitioner provides a "Patent Jacket Data Sheet," a "USPTO docket for the period 20 Nov 2006 to 20 Dec 2006," and a "File Finder List for Mail Received on" certain dates in June 2006. However, petitioner has not provided the docket record showing where the Notification would have been docketed for response on the initial due date for the response, 07 August 2006 (since 05 August 2006 was a Saturday). A copy of the "USPTO docket for the period" including 07 August 2006 would be an appropriate record to satisfy this requirement. In the absence of such a record showing where the Notification would have been docketed for response on its non-extended due date, it would not be appropriate to conclude that requirement (3) has been satisfied at this time.

In response, petitioner has provided appropriate docket records. Therefore, petitioner has satisfied all of the requirements for relief. The holding of abandonment is hereby **WITHDRAWN**, and the Notification of Abandonment mailed on 23 June 2008 is hereby **VACATED**.

DECISION

The petition is **GRANTED**.

This application is being returned to the Office of Patent Application Processing. Its date under 35 U.S.C. 371(c)(1), (2) and (4) is **23 July 2008**.

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